## Case 2:13-cv-01274-APG-PAL Document 21 Filed 05/01/14 Page 1 of 4 Sheri Thome 1 Nevada Bar No. 008657 J. Scott Burris 2 Nevada Bar No. 010529 WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP 3 300 South Fourth Street, 11th Floor 4 Las Vegas, NV 89101 (702) 727-1400; FAX (702) 727-1401 5 E-mail: Sheri. Thome@wilsonelser.com J.Scott.Burris@wilsonelser.com 6 7 Stephen M. Gaffigan (Admitted *Pro Hac Vice* ) 8 STEPHEN M. GAFFIGAN, P.A. 401 East Las Olas Blvd., Suite 130-453 Ft. Lauderdale, Florida 33301 Telephone: (954) 767-4819 10 Facsimile: (954) 767-4821 E-mail:stephen@smgpa.net 11 12 Attorneys for Plaintiff, CHANEL, INC. 13 THE UNITED STATES DISTRICT COURT 14 FOR THE DISTRICT OF NEVADA 15 CHANEL, INC., Case No. 2:13-cv-1274-APG/PAL 16 Plaintiff, 17 FINAL DEFAULT JUDGMENT AND PERMANENT INJUNCTION V. 18 TIAYI ART, LLC, a Nevada limited 19 liability company, d/b/a TIAYI ART d/b/a 20 TIAYI ART GALLERY d/b/a TIAYI ART CIRCUS FJ STORE d/b/a TIAYI ART – 21 TIAYI GALLERY d/b/a TIAYI ART CHINATOWN MAIN STORE d/b/a 22 TIAYI ART CO. d/b/a TIAYI ART 23 COMPANY and DOES 1-10, 24 Defendants. 25 THIS MATTER having come before the Court upon Plaintiff's Motion for Entry of Final 26 Default Judgment against Defendant, and the Court having considered the moving papers and there 27 being no opposition thereto; 28 1 FINAL DEFAULT JUDGMENT AND PERMANENT INJUNCTION

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IT IS HEREBY ORDERED that Plaintiff's Motion for Entry of Final Default Judgment is GRANTED, and judgment is entered in favor of Plaintiff, Chanel, Inc., a New York corporation, with its principal place of business in the United States located at Nine West 57th Street, New York, New York 10019, and against Defendant, Tiayi Art, LLC, a Nevada limited liability company, d/b/a Tiayi Art d/b/a Tiayi Art Gallery d/b/a Tiayi Art Circus FJ Store d/b/a Tiayi Art — Tiayi Gallery d/b/a Tiayi Art Chinatown Main Store d/b/a Tiayi Art Co. d/b/a Tiayi Art Company (the "Defendant"), as follows:

## 1. Permanent Injunctive Relief:

Defendant and its officers, agents, servants, employees and attorneys, and all persons acting in concert and participation with Defendant are hereby permanently restrained and enjoined from:

- a. manufacturing or causing to be manufactured, importing, advertising, or promoting, distributing, selling or offering to sell counterfeit and infringing goods using the Plaintiff's trademarks identified in Paragraph 7 of the Verified Complaint (the "Chanel Marks");
- b. using the Chanel Marks in connection with the sale of any unauthorized goods;
- c. using any logo and/or layout which may be calculated to falsely advertise the services or products of Defendant offered for sale or offered for sale via the Defendant's businesses "Tiayi Art, LLC," "Tiayi Art," "Tiayi Art Gallery," "Tiayi Art Circus FJ Store," "Tiayi Art Tiayi Gallery," "Tiayi Art Chinatown Main Store," "Tiayi Art Co.," "Tiayi Art Company" (collectively, the "Defendant's Businesses") and/or any other website or business, as being sponsored by, authorized by, endorsed by, or in any way associated with Plaintiff;
- d. falsely representing themselves as being connected with Plaintiff, through sponsorship or association;

- e. engaging in any act which is likely to falsely cause members of the trade and/or of the purchasing public to believe any goods or services of Defendant offered for sale or sold via the Defendant's Businesses and/or any other website or business are in any way endorsed by, approved by, and/or associated with Plaintiff;
- f. using any reproduction, counterfeit, copy, or colorable imitation of the Chanel Marks in connection with the publicity, promotion, sale, or advertising of any goods sold by Defendant via the Defendant's Businesses and/or any other website or business, including, without limitation, costume jewelry, including earrings, bracelets, necklaces, rings, pendants and hair accessories, including hair clips, and phone cases;
- g. affixing, applying, annexing or using in connection with the sale of any goods, a false description or representation, including words or other symbols tending to falsely describe or represent goods offered for sale or sold by Defendant via the Defendant's Businesses and/or any other website or business, as being those of Plaintiff or in any way endorsed by Plaintiff;
- h. otherwise unfairly competing with Plaintiff; and
- effecting assignments or transfers, forming new entities or associations or utilizing any other device for the purpose of circumventing or otherwise avoiding the prohibitions set forth above.
- 2. Award Plaintiff \$500,000.00 pursuant to 15 U.S.C. § 1117(c).
- 3. Cost of Suit: award Plaintiff \$400.00.00 pursuant to 15 U.S.C. § 1117(a).

| 1  | 4. Interest from the date this action was filed shall accrue at the legal rate. See 28 U.S.C |                 |  |  |
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| 2  |  | § 1961.         |  |  |
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| 4  | IT IS S  | SO ORDERED      |  |  |
| 5  |  | d: May 1, 2014. |  |  |
| 6  |  |                 | ANDREW P. GORDON<br>UNITED STATES DISTRICT JUDGE |  |
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